

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hodge et al.

Serial No.: 10/045,439

Filed: November 7, 2001

For: CABLE SPLICE ENCLOSURE
AND COMPONENTS

Art Unit: 2874

Examiner: Not Yet Assigned

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MAY 31 2002

U.S. PATENT & TRADEMARK OFFICE

PETITION IN RESPONSE TO THE NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATIONCommissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

May 31, 2002

Sir:

The undersigned attorney for Applicants hereby transmits the following documents in response to the Notice to File Missing Parts of Nonprovisional Application mailed April 3, 2002:

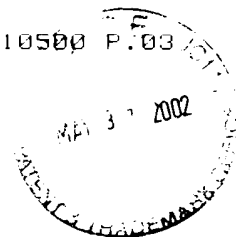
1. A copy of an executed Declaration and Power of Attorney for Applicants (originally filed in the U.S. Patent and Trademark Office on February 8, 2002).
2. A copy of pages 3, 13, and 16 of the specification of the above-identified non-provisional patent application (originally filed on November 7, 2001).
3. A copy of Figures 2B, 3, and 4A of the above-identified non-provisional patent application (originally filed on November 7, 2001).
4. A copy of the Utility Patent Application Transmittal filed by Applicants on November 7, 2001, showing Applicants' transmittal of thirty-seven specification pages and ten drawings sheets.

Thereby certify that this correspondence is being faxed on May 31, 2002, to the Commissioner for Patents, Office of Initial Patent Examination, Customer Service Center, Washington, DC 20231 (fax number 703-746-4060).


William O. Isaacs II - Reg. No. 44,165

Received from <404 572 5145> at 5/31/02 5:09:13 PM [Eastern Daylight Time]

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5. A copy of the stamped return receipt postcard filed with the application papers on November 7, 2001, showing receipt by the U.S. Patent and Trademark Office of thirty-seven specification pages and ten drawings sheets.

6. A copy of the Notice to File Missing Parts of Nonprovisional Application, Filing Date Granted, mailed April 3, 2002.

In the Notice to File Missing Parts of Nonprovisional Application (the "Notice") mailed April 3, 2002, the U.S. Patent and Trademark Office (PTO) stated that Applicants appear to have omitted pages 3, 13, and 16 of the specification and Figures 2B, 3, and 4A described in the specification. In response, Applicants submit that the above-noted items were in fact deposited in the PTO with the nonprovisional application papers filed on November 7, 2001. As requested in the Notice, Applicants have enclosed a copy of the allegedly omitted specification pages 3, 13, and 16 and Figures 2B, 3, and 4A.

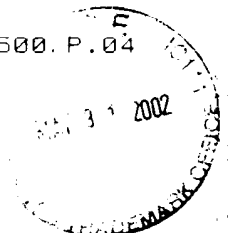
As shown on the enclosed copy of the Utility Patent Application Transmittal filed by Applicants on November 7, 2001, Applicants transmitted thirty-seven specification pages and ten drawings sheets to the PTO. The allegedly omitted specification pages 3, 13, and 16 and Figures 2B, 3, and 4A were included in the transmitted thirty-seven specification pages and ten drawing sheets.

As further evidence that the aforementioned pages were part of the originally filed application, enclosed is a copy of the stamped return receipt postcard filed with the application papers on November 7, 2001, where the PTO acknowledged receipt of the thirty-seven specification pages and ten drawings sheets. The allegedly omitted specification pages 3, 13, and 16 and Figures 2B, 3, and 4A were included in the received thirty-seven specification pages and ten drawing sheets.

Accordingly, Applicants respectfully submit that the allegedly omitted specification pages 3, 13, and 16 and Figures 2B, 3, and 4A were in fact deposited in the PTO with the nonprovisional application papers filed on November 7, 2001. Thus, Applicants petition the

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PTO to grant the entire above-identified application, including the attached and allegedly omitted pages and figures, the original filing date of November 7, 2001.

The Commissioner is hereby authorized to charge the \$130 Petition fee, as required under 37 CFR 1.17(h), to Deposit Account No. 11-0980. However, Applicants respectfully request a refund of the \$130 petition fee after the PTO determines that it received the allegedly omitted pages and figures on the original filing date of November 7, 2001. The Commissioner is hereby authorized to deposit the \$130 Petition fee refund to Deposit Account No. 11-0980.

Finally, Applicants submit that the duplicate submission of the executed declaration completes the filing of all necessary papers and respectfully request that the PTO pass the application to the appropriate examining group for action on the merits. Applicants also respectfully request early publication of the application, as stated in Applicants' Early Publication Request filed on February 8, 2002, and acknowledged by the PTO on the Official Filing Receipt.

Respectfully submitted,

William O. Isaacs, II
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